

Chapter 812

(Senate Bill 938)

AN ACT concerning

**Maryland Department of Health – Public Education Campaign on Prostate,
Lung, and Breast Cancer Prevention**

FOR the purpose of requiring the Maryland Department of Health to develop and implement a public education campaign on prostate, lung, and breast cancer prevention that targets communities disproportionately impacted by prostate, lung, and breast cancer; and generally relating to the public education campaign on prostate, lung, and breast cancer prevention.

BY adding to

Article – Health – General

Section 13–11A–01 to be under the new subtitle “Subtitle 11A. Public Education
Campaign on Prostate, Lung, and Breast Cancer Prevention”

Annotated Code of Maryland

(2023 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 7–317(a)

Annotated Code of Maryland

(2021 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 7–317(f) and (g)(3)

Annotated Code of Maryland

(2021 Replacement Volume and 2023 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health – General**SUBTITLE 11A. PUBLIC EDUCATION CAMPAIGN ON PROSTATE, LUNG, AND
BREAST CANCER PREVENTION.****13–11A–01.**

**(A) THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A 3–YEAR PUBLIC
EDUCATION CAMPAIGN ON PROSTATE, LUNG, AND BREAST CANCER PREVENTION**

THAT TARGETS COMMUNITIES DISPROPORTIONATELY IMPACTED BY PROSTATE, LUNG, AND BREAST CANCER.

(B) IN DEVELOPING THE PUBLIC EDUCATION CAMPAIGN, THE DEPARTMENT SHALL WORK WITH:

(1) HEALTH CARE PROVIDERS, INCLUDING LICENSED PHYSICIANS, WHO TREAT INDIVIDUALS IMPACTED BY PROSTATE, LUNG, AND BREAST CANCER;

(2) HOSPITALS; AND

(3) HEALTH CARE ASSOCIATIONS THAT FOCUS ON PROSTATE, LUNG, AND BREAST CANCER.

(C) THE PUBLIC EDUCATION CAMPAIGN SHALL:

(1) PROVIDE EDUCATIONAL INFORMATION ON PROSTATE, LUNG, AND BREAST CANCER, INCLUDING INFORMATION REGARDING:

(I) THE RISKS AND WARNING SIGNS OF PROSTATE, LUNG, AND BREAST CANCER; AND

(II) GUIDELINES AND BEST PRACTICES TO PREVENT PROSTATE, LUNG, AND BREAST CANCER;

(2) PROMOTE:

~~**(I) PARTICIPATION IN CLINICAL TRIALS AND STUDIES FOR PROSTATE, LUNG, AND BREAST CANCER; AND**~~

~~**(II) SCREENINGS**~~ **SCREENINGS** FOR PROSTATE, LUNG, AND BREAST CANCER; AND

(3) PROVIDE INFORMATION ON LEGISLATION THAT REDUCES COST BARRIERS TO PREVENTION SERVICES FOR PROSTATE, LUNG, AND BREAST CANCER.

(D) TO IMPLEMENT THE PUBLIC EDUCATION CAMPAIGN, THE DEPARTMENT SHALL:

(1) USE COMMUNICATIONS TOOLS AND MESSAGING;

(2) POST ALL MATERIALS ON THE DEPARTMENT'S WEBSITE IN A CONSPICUOUS MANNER AND AN ACCESSIBLE FORMAT; AND

(3) DEVELOP PARTNERSHIPS WITH HEALTH AGENCIES, NONPROFIT ORGANIZATIONS, AND PRIVATE ENTITIES THAT WORK WITH COMMUNITIES DISPROPORTIONATELY IMPACTED BY PROSTATE, LUNG, AND BREAST CANCER.

(E) THE DEPARTMENT SHALL:

(1) DEVELOP THE PUBLIC EDUCATION CAMPAIGN ON OR BEFORE DECEMBER 1, ~~2025~~ 2026;

~~**(2) PROVIDE 30 DAYS FOR FEEDBACK AND COMMENTS FROM THE PUBLIC ON THE PUBLIC EDUCATION CAMPAIGN;**~~

~~**(3)**~~ **(2) IMPLEMENT THE PUBLIC EDUCATION CAMPAIGN ON OR BEFORE JANUARY 1, ~~2026~~ 2027; AND**

~~**(4)**~~ **(3) SET MEASURABLE GOALS FOR THE PUBLIC EDUCATION CAMPAIGN.**

~~**(F) ON OR BEFORE JANUARY 1, 2027, 2028, AND 2029, THE DEPARTMENT SHALL SUBMIT A REPORT ON THE STATUS OF MEETING ITS GOALS ESTABLISHED UNDER SUBSECTION (E)(4) OF THIS SECTION TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.**~~

~~**(G)**~~ **(F) (1) FOR EACH OF FISCAL YEARS 2026, 2027, 2028, AND 2029, AND 2030, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE DEPARTMENT FOR THE PUBLIC EDUCATION CAMPAIGN FROM THE CIGARETTE RESTITUTION FUND ESTABLISHED UNDER § 7-317 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

(2) THE TOTAL APPROPRIATION FOR FISCAL YEARS ~~2025~~ 2026 THROUGH ~~2029~~ 2030 SHALL BE NOT MORE THAN ~~\$2,000,000~~ \$750,000.

Article – State Finance and Procurement

7-317.

(a) There is a Cigarette Restitution Fund.

(f) (1) The Cigarette Restitution Fund shall be used to fund:

(i) the Tobacco Use Prevention and Cessation Program established under Title 13, Subtitle 10 of the Health – General Article;

(ii) the Cancer Prevention, Education, Screening, and Treatment Program established under Title 13, Subtitle 11 of the Health – General Article;

(iii) the activities of the Southern Maryland Agricultural Development Commission, in accordance with § 13–611 of the Economic Development Article;

(iv) For each of fiscal years 2025 through 2029, the Maryland Community Health Resources Commission Fund, in accordance with subsection (g) of this section; [and]

(V) THE PUBLIC EDUCATION CAMPAIGN ON PROSTATE, LUNG, AND BREAST CANCER PREVENTION ESTABLISHED UNDER TITLE 13, SUBTITLE 11A OF THE HEALTH – GENERAL ARTICLE; AND

[(v)] **(VI)** other programs that serve the following purposes:

1. reduction of the use of tobacco products by individuals under the age of 21 years;
2. implementation of the Southern Maryland Regional Strategy–Action Plan for Agriculture adopted by the Tri–County Council for Southern Maryland with an emphasis on alternative crop uses for agricultural land now used for growing tobacco;
3. public and school education campaigns to decrease tobacco use with initial emphasis on areas targeted by tobacco manufacturers in marketing and promoting cigarette and tobacco products;
4. smoking cessation programs;
5. enforcement of the laws regarding tobacco sales;
6. the purposes of the Maryland Health Care Foundation under Title 20, Subtitle 5 of the Health – General Article;
7. primary health care in rural areas of the State and areas targeted by tobacco manufacturers in marketing and promoting cigarette and tobacco products;
8. prevention, treatment, and research concerning cancer, heart disease, lung disease, tobacco product use, and tobacco control, including operating costs and related capital projects;
9. substance abuse treatment and prevention programs; and
10. any other public purpose.

(2) The provisions of this subsection may not be construed to affect the Governor's powers with respect to a request for an appropriation in the annual budget bill.

(g) (3) For each fiscal year for which appropriations are made, at least 50% of the appropriations shall be made for those purposes enumerated in subsection (f)(1)(i), (ii), and [(v)1] (VI)1 through 9 of this section subject to the requirement of subsection (e)(2) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2027, 2028, and 2029, the Maryland Department of Health shall include in the report required under § 7-317(j)(2) of the State Finance and Procurement Article the status of meeting its goals established under § 13-11A-01 of the Health – General Article, as enacted by Section 1 of this Act.

~~SECTION 2. 3.~~ SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1, 2024~~ July 1, 2025. It shall remain effective for a period of ~~5~~ 6 years and, at the end of ~~September 30, 2029~~ June 30, 2031, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, May 16, 2024.